ATTORNEY'S DOCKET NO: **010969**

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE	DATE: **August 13, 2001**
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371	U.S. APPL. NO. (if known) **09/926005**

INTERNATIONAL APPLICATION NO.: **PCT/JP99/00648**	INTERNATIONAL FILING DATE: **FEBRUARY 15, 1999**	PRIORITY DATE CLAIMED:

TITLE OF INVENTION: *ADP-RIBOSYLATION INHIBITOR COMPRISING PROANTHOCYANIDIN AS AN ACTIVE INGREDIENT AND A COMPOSITION FOR TREATING ENTEROTOXIN TYPE BACTERIAL INFECTIOUS DISEASE*

APPLICANT(S) FOR DO/EO/US: **Masatoshi NODA, Tomomasa KANDA, Akio YANAGIDA and Kazuo HIEDA**

Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. **XX** This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. ____ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. **XX** This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1).

4. **XX** A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.

5. **XX** A copy of the International Application as filed (35 U.S.C. 371(c)(2)):

    a. ____ is transmitted herewith (required only if not transmitted by the International Bureau).
    b. **XX** has been transmitted by the International Bureau.
    c. ____ is not required, as the application was filed in the United States Receiving Office (RO/US)

6. **XX** A translation of the International Application into English (35 U.S.C. 371(c)(2)).

7. **XX** Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

    a. ____ are transmitted herewith (required only if not transmitted by the International Bureau).
    b. ____ have been transmitted by the International Bureau.
    c. ____ have not been made; however, the time limit for making such amendments has NOT expired.
    d. **XX** have not been made and will not be made.

8. ____ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. _ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. ____ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11. TO 16. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:

11. **XX** An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with the international search report and 4 references.

12. _ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
    ASSIGNEES NAMES AND ADDRESSES: *(1) THE NIKKA WHISKY DISTILLING CO., LTD., Tokyo, Japan; and*
                                    (2) MASATOSHI NODA, Chiba, Japan
                          Please publish the assignee data with the application.

13. **XX** A **FIRST** preliminary amendment.
    ____ A **SECOND** or **SUBSEQUENT** preliminary amendment

14. ____ A substitute specification.

15. ____ A change of power of attorney and/or address letter.

16. **XX** Other items or information: 1 sheet of drawings.

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U.S. APPLICATION NO. (if known) **09/926005**	INTERNATIONAL APPLICATION NO. **PCT/JP99/00648**	DATE: **August 13, 2001**

	CALCULATIONS	PTO USE ONLY
17. <u>X</u> The following fees are submitted: **Basic Nati nal F e (37 CFR 1.492(a)(1)-(5):** Search Report has been prepared by the EPO or JPO: . . . . $860.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) . . . . $690.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) . . . . $710.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . $1000.00 International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) . . . . $100.00 **ENTER APPROPRIATE BASIC FEE AMOUNT =**	$ 860.00	
Surcharge of **$130.00** for furnishing the oath or declaration later than __ 20 x· 30 months from the earliest claimed priority date (37 DVR 1.492(e)).	$ 130.00	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
TOTAL	11 -20 =		X $ 18.00		
INDEPENDENT	3 - 3 =		X $ 80.00		
Multiple dependent claims(s) (if applicable)			+ $270.00		
TOTAL OF ABOVE CALCULATIONS =				$ 990.00	
Reduction by 1/2 for filing by small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).					
SUBTOTAL =				$ 990.00	
Processing fee of **$130.00** for furnishing the English translation later than __ 20 __ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +					
TOTAL NATIONAL FEE =				$ 990.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00 per property** +					
TOTAL FEES ENCLOSED =				$ 990.00	
				Amount to be: refunded charged	$ $

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a. **XX** A check in the amount of $990.00 to cover the above fees is enclosed. ($860.00 for basic filing fee and $130.00 for late filing of the declaration). (This paper is filed in triplicate)

b. ___ Please charge my Deposit Account No. 01-2340 in the amount of $___ to cover the above fees. (A duplicate copy of this sheet is enclosed.)

c. **X** The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2340.

NOTE: **Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.**

Send All Correspondence To:

23850

PATENT TRADEMARK OFFICE

SIGNATURE

Donald W. Hanson
NAME

27,133
REGISTRATION NUMBER

DWH/yap

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